

1 **LISTING OF THE CLAIMS**

2 Claims 1-31 were originally pending. Please amend claims 1, 9, 17, and
3 22. Kindly cancel claims 3, 11, 19, and 24 without prejudice. No claims have
4 been added. Accordingly, claims 1-2, 4-10, 12-18, 20-23, and 25-31 remain
5 pending.

6 The following listing of claims replaces all prior versions and listings of
7 claims in the application.

8

9 1. (Presently amended) A method for providing software to a device,
10 the method comprising:

11 identifying essential software within a device, the essential software
12 including software necessary to operate the device and provide external
13 communications;

14 identifying remaining portions of software within the device as non-
15 essential software; and

16 downloading new essential software from an external source to the device
17 and storing the new essential software in memory by overwriting at least a portion
18 of the non-essential software; and

19 upon successfully operating the device and providing external
20 communications using the new essential software, selectively downloading new
21 non-essential software and storing the new non-essential software in memory by
22 overwriting at least a portion of either the essential software or the non-essential
23 software.

24

25 2. (Original) The method as recited in Claim 1, further comprising:

1 after downloading the new essential software, attempting to operate the
2 device and provide external communications using the new essential software.

3
4 3. (Canceled)

5
6 4. (Original) The method as recited in Claim 1, wherein the device
7 is a managed device.

8
9 5. (Original) The method as recited in Claim 1, wherein the external
10 source includes a server device.

11
12 6. (Original) The method as recited in Claim 1, wherein the external
13 source includes a network.

14
15 7. (Original) The method as recited in Claim 6, wherein the network
16 includes the Internet.

17
18 8. (Original) The method as recited in Claim 1, wherein the
19 essential software includes software selected from a group comprising an
20 operating system, a file system, at least one driver, a communication program, an
21 Internet browser, and an upgrade application.

22
23 9. (Presently amended) A computer-readable medium having computer-
24 executable instructions for performing steps comprising:

1 identifying essential software within a device, the essential software
2 including software necessary to operate the device and provide external
3 communications;

4 identifying remaining portions of software within the device as non-
5 essential software; and

6 downloading new essential software from an external source to the device
7 and storing the new essential software in memory by overwriting at least a portion
8 of the non-essential software; and

9 upon successfully operating the device and providing external
10 communications using the new essential software, selectively downloading new
11 non-essential software and storing the new non-essential software in memory by
12 overwriting at least a portion of either the essential software or the non-essential
13 software.

14
15 10. (Original) The computer-readable medium as recited in Claim 9,
16 having further computer-executable instructions for:

17 after downloading the new essential software, attempting to operate the
18 device and provide external communications using the new essential software.

19
20 11. (Canceled).

21
22 12. (Original) The computer-readable medium as recited in Claim 9,
23 wherein the device is a managed device.

1 13. (Original) The computer-readable medium as recited in Claim 9,
2 wherein the external source includes a server device.

3
4 14. (Original) The computer-readable medium as recited in Claim 9,
5 wherein the external source includes a network.

6
7 15. (Original) The computer-readable medium as recited in Claim 14,
8 wherein the network includes the Internet.

9
10 16. (Original) The computer-readable medium as recited in Claim 9,
11 wherein the essential software includes software selected from a group comprising
12 an operating system, a file system, at least one driver, a communication program,
13 an Internet browser, and an upgrade application.

14
15 17. (Presently amended) An apparatus that is operated using software
16 and operatively configured to identify as essential software that software which is
17 necessary to operate the apparatus and provide for external communications,
18 identify remaining portions of software as being non-essential software, download
19 new essential software from an external source and store the new essential
20 software in memory by overwriting at least a portion of the non-essential software;
21 and upon successfully operating and providing external communications using the
22 new essential software, selectively download new non-essential software and store
23 the new non-essential software in the memory by overwriting at least a portion of
24 either the essential software or the non-essential software.

1 18. (Original) The apparatus as recited in Claim 17, wherein the
2 apparatus is further configured to, after downloading the new essential software,
3 attempt to operate and provide external communications using the new essential
4 software.

5
6 19. (Canceled)

7
8 20. (Original) The apparatus as recited in Claim 17, wherein the
9 apparatus is a managed device.

10
11 21. (Original) The apparatus as recited in Claim 17, wherein the
12 essential software includes software selected from a group comprising an
13 operating system, a file system, at least one driver, a communication program, an
14 Internet browser, and an upgrade application.

15
16 22. (Presently amended) A system comprising:
17 a network;
18 a server device operatively coupled to the network; and
19 a client device operatively coupled to the network and configured to
20 selectively download data from the server client via the network, and wherein the
21 client device includes memory and is further operatively configured to identify as
22 essential software that software which is necessary to operate the client device and
23 provide for external communications via the network, identify remaining portions
24 of software as being non-essential software, download new essential software
25 from the server device over the network and store the new essential software in the

1 memory by overwriting at least a portion of the non-essential software, and upon
2 successfully operating and providing external communications using the new
3 essential software, is further configured to selectively download new non-essential
4 software and store the new non-essential software in the memory by overwriting at
5 least a portion of either the essential software or the non-essential software.

6
7 23. (Original) The system as recited in Claim 22, wherein the client
8 device, after downloading the new essential software, is further configured to
9 attempt to operate and provide external communications using the new essential
10 software.

11
12 24. (Canceled)

13
14 25. (Original) The system as recited in Claim 22, wherein the client
15 device is a managed device.

16
17 26. (Original) The system as recited in Claim 22, wherein the
18 network includes the Internet.

19
20 27. (Previously presented) The system as recited in Claim [[1]] 22,
21 wherein the essential software includes software selected from a group comprising
22 an operating system, a file system, at least one driver, a communication program,
23 an Internet browser, and an upgrade application.

1 28. (Previously presented) The method as recited in Claim 2, further
2 comprising:

3 upon unsuccessfully operating the device or unsuccessfully providing
4 external communications, reverting back to the essential software.

5
6 29. (Previously presented) The computer-readable medium as
7 recited in Claim 10, having further computer-executable instructions for:

8 upon unsuccessfully operating the device or unsuccessfully providing
9 external communications, reverting back to the essential software.

10
11 30. (Previously presented) The apparatus as recited in Claim 18,
12 wherein the apparatus is further configured to, upon unsuccessfully operating the
13 apparatus or unsuccessfully providing external communications, reverting back to
14 the essential software.

15
16 31. (Previously presented) The system as recited in Claim 23,
17 wherein the client device is further configured to, upon unsuccessfully operating
18 the client device or unsuccessfully providing external communications, reverting
19 back to the essential software.